

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

FILED

MAY 29 2012

UNITED STATES OF AMERICA)
)
v.)
)
DARLENE AURELIA BISHOP)

MO-12-CR-123

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

ORDER DETERMINING DEFENDANT'S COMPETENCY

On the 25th day of May 2012, this cause came before the Court for further consideration of the Court's Order for Psychiatric or Psychological Examination filed in the above-referenced case, and the Court finds as follows:

1.

That on May 1, 2012, this Court entered an Order for Psychiatric or Psychological Examination of the Defendant **DARLENE AURELIA BISHOP** pursuant to 18 U.S.C. §4241(b). That in accordance with the Court's Order, the Defendant **DARLENE AURELIA BISHOP** was examined by Perry M. Marchioni, Ph.D., Texas Licensed Psychologist, Specialist in School Psychology Health Service Provider in Midland, TX. That a report was prepared and filed pursuant to 18 U.S.C. §4247(c). That said report concluded that the Defendant **DARLENE AURELIA BISHOP** is not currently suffering from a mental disease or defect which renders her unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense. That the Defendant **DARLENE AURELIA BISHOP** did not contest said report's finding, and further the Defendant **DARLENE AURELIA BISHOP** did not put on any evidence at the hearing.


2.

That, after conducting a hearing pursuant to 18 U.S.C. §4247(d), the Court finds from a preponderance of the evidence that the Defendant **DARLENE AURELIA BISHOP** is not presently suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Defendant **DARLENE AURELIA BISHOP** is competent to stand trial in this cause.

It is so **ORDERED** and **ADJUDGED**.

Signed this 25th day of May, 2012.



DAVID COUNTS
United States Magistrate Judge